

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 12TH MARCH 2007 / 21ST PHALGUNA 1928

Con.Case(C).No. 1594 of 2006(S)

**-----
AGAINST THE JUDGEMENT/ORDER IN WPC.31397/2002 Dated 24/05/2004**

PETITIONER/PETITIONER

**JACOB DOMINIC, KARIPPAPARAMBIL,
PALAMPRA P.O., KANJIRAPPALLY, KOTTAYAM.**

BY ADV. SMT.MINI ELIZABETH GEORGE

RESPONDENT: RESPONDENT

**SRI.YALAH, AGE AND FATHER'S NAME NOT
KNOWN TO THE PETITIONER,
THE CUSTODIAN OF VESTED FORESTS,
OLAVAKODE, PALAKKAD.**

BY SPL.VERNMENT PLEADER SRI.C.M.SURESH BABU(FORESTS)

**THIS CONTEMPT OF COURT CASE (CIVIL) HAVING BEEN FINALLY HEARD
ON 12/03/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

K.BALAKRISHNAN NAIR, J.

CONTEMPT CASE (C) NO.1594 /2006

JUDGMENT

The petitioner has approached this Court, feeling aggrieved by the delay from the part of the respondent to restore the property in the light of the judgment of this Court in O.P.No.31397/2002.

2. The respondent has filed an affidavit, stating that the property concerned has been declared as ecologically fragile land under the provisions of the Kerala Forest (Vesting and Management of Ecologically Fragile Land) Act, 2003. In view of the said position, the land cannot be restored. Accordingly, the Contempt Case is closed without prejudice to the right of the petitioner to challenge the said notification of the Government.

12th March, 2007.

K.BALAKRISHNAN NAIR, JUDGE.

Nm/